

## **ARGUMENTS/REMARKS**

Claims 1-18 are pending. No claims stand allowed. Claims 1 and 13 have been amended. The specification has also been amended. No new matter has been introduced by these amendments.

### **Rejection of Claims under 35 U.S.C. § 101**

Claims 1-5 stand rejected under 35 U.S.C. § 101 because the claimed invention is allegedly directed to non-statutory subject matter. The main issue is apparently the specification's reference to the possibility that "[t]he invention may also be embodied in a carrier wave traveling over an appropriate medium such as airwaves, optical lines, electric lines, etc." Applicants respectfully disagree, for reasons that include those set forth in Amendment A.

However, in order to expedite the prosecution of this application, the specification has been amended to delete this reference to embodiment in a carrier wave. It is respectfully submitted that the rejection under § 101 should be withdrawn in view of this amendment.

### **Rejection of Claims under 35 U.S.C. § 103**

Claims 1-18 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Seki (U.S. Pat. Application No. 2003/0018753), in view of Hummel, Jr. et al. (U.S. Pat. No 6,584,454). The Office Action acknowledges that Seki fails to disclose at least the following elements of claim 1:

Seki does not specifically disclose

the graphical user interface allowing the remote user to select only content or services

that the remote user is authorized to select;

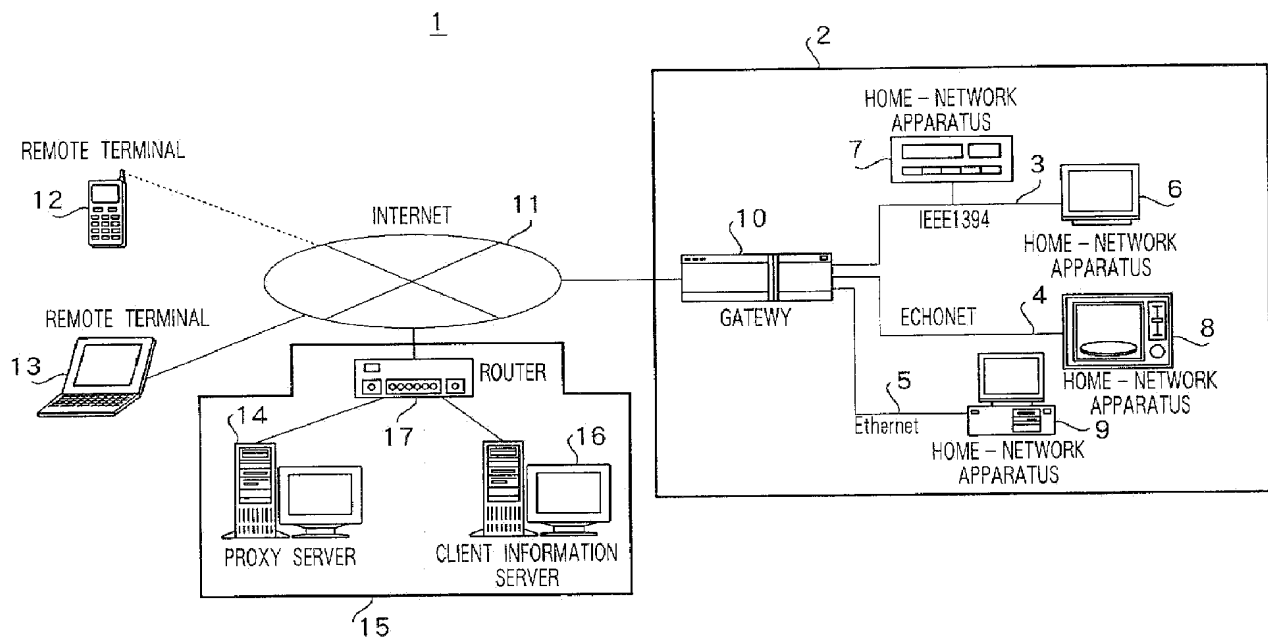
receiving a selection request from the remote user; and

providing content or services to the remote user according to the selection request.

(Office Action, p. 5.)

In Amendment A, Applicants noted that claim 1, the recited functions are performed by “one or more devices of the home network,” as noted in the preamble. “All words in a claim must be considered in judging the patentability of that claim against the prior art.” *In re Wilson*, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970). Thus, the log-in attempt from a remote user is received at one or more devices of the home network, or more specifically, a gateway of the home network, as shown in FIG. 1. Similarly, verifying that the remote user is an authorized user of the home network, generating a network address translation rule associating the Internet protocol address with a port of a device on the home network, displaying a graphical user interface to the remote user, receiving a selection request from the remote user, and providing content or services to the remote user according to the selection request are all performed by one or more devices of the home network.

It is respectfully submitted that these features are not taught, suggested or indicated by the art relied upon, whether alone or in combination. The following discussion of Seki will reference Seki’s Fig. 1, which has been copied and pasted below:



The Office Action asserted that the following referenced portions of Seki disclose the first two elements of claim 1:

receiving a log-in attempt from a remote user, the log-in attempt originating from an Internet protocol address [ i.e. receive connection request from the remote terminal ] [ ST404, Figure 4A; Abstract; paragraphs 0133 and 0134 ];

verifying that the remote user is an authorized user of the home network [ i.e. user authentication ] [ paragraphs 0134, 0135 and 0173 ];

(Office Action, p. 5.)

According to Seki, however, these steps are not performed by a device of the home network, but by “manufacturer area 15,” e.g., by proxy server 14:

**[0133]** The operator of the remote terminal selects a home-network apparatus to control (in this example, VTR) (ST408). The operator clicks home-network apparatus identifier (VTR 1) **51** or icon **55** of the selected home-network apparatus (VTR). Since clicking home-network apparatus identifier **51** or icon **55** links to URL of proxy server **14** responsible for the home-network apparatus, the remote terminal transmits a connection request to proxy server **14** based on URL (ST409).

**[0134]** Upon receiving a connection request from the remote terminal (ST409), proxy server **104** establishes an SSL session with the remote terminal (ST410). At this point, the remote terminal and proxy server **14** exchange messages to which attached is a certification for certifying its identity to mutually authenticate its communicating party, and negotiate to determine an encryption algorithm for use in communications. Further, the remote terminal transmits a common encryption key for use in decrypting encrypted data. The following communications are performed using this SSL session.

Seki's connection request ST409 (the alleged log-in attempt) shown in FIG. 4A is received at the proxy server 14 in the manufacture area 15, not the gateway 10 in the home network area 2. As may be readily discerned in FIG. 1 of Seki, “manufacturer area 15” is separate from “home network area 2.” Similarly, in Seki, the alleged verification/authentication

processes ([0134], [0135], and [0173] of Seki) are all performed by the proxy server 14, not the home gateway 10.

Moreover, Seki specifically states that “since proxy server 14 is capable of authenticating remote terminals ... and thereby eliminates the need for remote terminals and gateway 10 to perform the authentication...” Accordingly, Seki teaches away from performing authentication of a remote user at the home gateway.

*“generating a network address translation rule associating the Internet protocol address with a port of a device on the home network”*

As understood, Seki does not teach any such step being performed by one or more devices of a home network. It is not clear whether Seki teaches *any* device performing such a step. The Office Action indicates that this step is described in the following referenced portions of Seki:

generating a network address translation rule associating the Internet protocol address  
with a port of a device on the home network [ i.e. address conversion or protocol conversion ] [ ST434, ST435, Figure 4B; and paragraphs 0162, 0167 and 0175 ];

(Office Action, p. 5.)

Seki does describe a process wherein “proxy server 14 generates address conversion information 91,” in paragraph [0149]. As understood, the proxy server 14 is not really “generating a network address translation rule” as described in claim 1. However, to the extent that any remotely analogous process is occurring, that process is not being performed by a device of the home network. In Seki, the address conversion information (the alleged address translation rule) is generated by the proxy server 14, not the gateway 10. Seki’s gateway 10 merely refers to the address conversion information storing section 41 ([0162] of Seki), contrary to the claimed invention in which the network address translation rule is generated by a device of the home network.

The secondary reference Hummel is cited for its policy server 114 which allegedly determines whether the requesting remote system user has access right to the requested software application. As understood, Hummel does not teach, suggest or indicate steps performed by a home network as recited in claim 1.

The preamble of previously presented claim 1 clearly indicated that the instructions recited in claim 1 were to be performed by “one or more devices of the home network.” The latest Office Action nonetheless refused to give the preamble any patentable weight and sustained the rejections of the first Office Action. (Id. at ¶ 3.)

Although Applicants’ attorney respectfully disagrees with the position taken in the Office Action regarding the preamble, claim 1 has been amended to expressly recite that “the receiving, verifying, generating and providing are performed by one or more devices of the home network.” This amendment makes the elements of claim 1 even more clearly distinct from the art relied upon. Accordingly, it is respectfully submitted that Seki and Hummel, whether alone or in combination, do not teach, suggest or indicate the features of claim 1.

The other independent claims (claims 6, 7, 8, 13, and 18) elements that are similar to those recited in claim 1 as discussed above, among others. Like claim 1, method claim 13 has also been amended to recite, “wherein the receiving, verifying, generating and providing are performed by one or more devices of the home network.” Accordingly, it is respectfully requested that all § 103 rejections be withdrawn.

## CONCLUSION

Applicants believe that all pending claims are allowable and respectfully request a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

The Commissioner is hereby authorized to charge any additional fees, including any extension fees, which may be required or credit any overpayment directly to the account of the undersigned, No. 50-4480 (Order No. CISC347).

Respectfully submitted,  
Weaver Austin Villeneuve & Sampson LLP

/Roger S. Sampson/

Roger S. Sampson  
Reg. No. 44,314

P.O. Box 70250  
Oakland, CA 94612-0250  
(510) 663-1100